

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No.: 4925

Stefan Frenzel, et al.

Date: June 16, 2010

Serial No.: 10/539,781

Group Art Unit: 1793

Filed: September 20, 2005

Examiner: Colette B. Nguyen

For: EXTRACTION OF INGREDIENTS FROM BIOLOGICAL MATERIAL

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

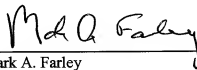
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 18, 2009 of the Primary Examiner finally rejecting claims 1, 2, 4-19 and 21-28.

The Appeal Fee - \$540 (Large Entity) is submitted via EFS-WEB.

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON June 16, 2010.

Respectfully submitted,



Mark A. Farley
Registration No.: 33,170
OSTROLENK FABER LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

MAF:ck